

expedited briefing schedule. Under this schedule, once plaintiff responds to the motions to dismiss, the Government and defendant-intervenor will have one week to file their respective reply briefs.

The Government and defendant-intervenor timely filed motions to dismiss for failure to exhaust administrative remedies on July 6, 2021 (ECF Nos. 29, 30). On July 20, 2021, plaintiff timely filed an opposition to these motions (ECF No. 38). In addition to responding to the arguments about exhaustion, however, plaintiff also argues that the administrative process established by the United States Postal Service (Postal Service) violates the Constitution's Appointments Clause. This is a complex and nuanced issue that requires further research and consideration, as well as consultation with Postal Service attorneys. To adequately respond to plaintiff's Appointments Clause argument, additional time is necessary. We believe that an enlargement of time of 7 days should suffice to prepare the Government's reply brief in this case.

CONCLUSION

For these reasons, we respectfully request that the Court enlarge the Government's time for filing a reply brief in support of its pending motion to dismiss by 7 days, to and including August 3, 2021.

Respectfully submitted,

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